

REMARKS

In the June 24, 2009 Office Action, claims 1-10 stand rejected in view of prior art.

No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the June 24, 2009 Office Action, Applicant has amended claims 1, 9, and 10 as indicated above. Thus, claims 1-10 are pending, with claims 1, 9, and 10 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Rejections - 35 U.S.C. § 102

In items 1-8 of the Office Action, claims 1-10 stand rejected under 35 U.S.C. §102(b) as being anticipated by Tiger Woods PGA Tour 2004 (hereinafter TW04). In response, Applicant has amended independent claims 1, 9, and 10 to clearly define the present invention over the prior art of record.

In particular, Applicant has amended claim 1 to recite that a moving object control function is for setting point of dispatching the moving object from the character according to a timing at which the second request receiving function received the dispatch request, setting extend of deviance of a destination, and controlling the movement object which moves from the point to the destination deviated.

TW04 was cited in the Office Action to reject claim 1 by showing that a request receiving function for receiving an operation initiation request, an operation display function for displaying the dispatch operation, a second request receiving function for receiving a request to dispatch the moving object, a moving object control function for controlling the movement of the moving object, and moving object display function for displaying the moving object.

However, Applicant respectfully asserts that TW04 does **not** anticipate claim 1 for the following reasons. Firstly, in TW04 the golf ball is dispatched from a fixed position, but the claimed invention enables setting point of dispatching the moving object from the character. Specifically, the claimed invention enables changing point (ex. release point of the pitcher character) of dispatching the moving object from the character according to a timing of the second request and dispatching the moving object from the point (ex. the release point) after been changed. Applicant believes that the point of dispatching the golf ball in TW04 is **fixed** and **not changeable**. Secondly, Applicant respectfully asserts that TW04 **fails** to provide setting extend of deviance of a destination. In contrast, the claimed invention enables setting extend of deviance of the destination according to fluctuation of the point (ex. the release point) and controlling the movement object which moves from the point (ex. the release point) to the destination after been deviated.

Therefore, Applicant respectfully asserts that the above mentioned arrangements are **not** disclosed or suggested by TW04 or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicant respectfully submits that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

As claims 9 and 10 similarly recite, Applicant respectfully asserts that claims 9 and 10 are also allowable for the same or similar reasons stated above.

Moreover, Applicant believes that claims 2-8 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, claims 2-8 are further allowable because they include additional

limitations. Thus, Applicant believes that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-10 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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